

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB No 0930-0222

FFY 2012

State: Virginia-Draft

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project; 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 05-31-2013.

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2011 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2012 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate State compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist States¹ by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including State Synar Program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and onsite technical assistance consultation.

How the Synar report can help States

The information gathered for the Synar report can help States describe and analyze substate needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

¹The term "State" is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email using the directory provided in the FY 2012 Uniform Application, Appendix A. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2012. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

The State must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2012 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1–5 (in Excel) to WebBGAS. States that do not use SSES must upload one copy of ASR Forms 1, 4, and 5, and Forms 2 and 3, if applicable, (in Excel) to WebBGAS.
- Synar Inspection Form: States must upload one blank copy of the inspection form used to record the result of each Synar inspection.
- Synar Inspection Protocol: States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections.

Each State SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

Additionally, the State must submit one signed original of the report (including the signed Funding Agreements/Certifications), as well as one additional copy of the signed Funding Agreements/Certifications, to the Grants Management Officer at the address below:

Grants Management Officer
Office of Program Services
Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20850



COMMONWEALTH of VIRGINIA

Office of the Governor

August 12, 2010

Robert F. McDonnell
Governor

Ms. Barbara Orlando, M.S.
Grants Management Specialist
Formula Grants Team
Substance Abuse and Mental Health Services Administration
Office of Program Services
Division of Grants Management
1 Choke Cherry Road, Room 7-1091
Rockville, Maryland 20850

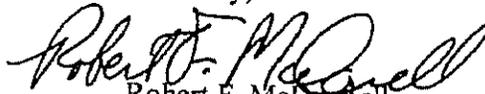
Dear Ms. Orlando:

I am delegating responsibility for the administration of Virginia's Community Mental Health Services (CMHS) Block Grant and Substance Abuse Prevention and Treatment Block Grant to the Commissioner of the Virginia Department of Behavioral Health and Developmental Services, effective this date. Questions concerning these grants should be directed to the Commissioner's office at:

Virginia Department of Behavioral Health and Developmental Services
Post Office Box 1797
Richmond, Virginia 23218
Telephone: (804) 786-3921

I am also authorizing the Secretary of Health and Human Resources for the Commonwealth to sign the required certifications and assurances required for application to the Substance Abuse and Mental Health Services Administration for the CMHS and SAPT Block Grants for this and subsequent years of my administration.

Sincerely,


Robert F. McDonnell

cc: The Honorable William A. Hazel, Jr. M.D.
James W. Stewart, Commissioner
Virginia Department of Behavioral Health and Developmental Services

SECTION I: FFY 2011 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

42 U.S.C. 300x-26 requires the States to report information regarding the sale/distribution of tobacco products to individuals under age 18.

1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the State law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also upload a copy of the State law to WebBGAS. (see 42 U.S.C. 300x-26).

a. Has there been a change in the *minimum sale age* for tobacco products?

Yes No

If Yes, current minimum age: 19 20 21

b. Have there been any changes in State law that impact the State's protocol for conducting Synar inspections? Yes No

If Yes, indicate change. (Check all that apply.)

Changed to require that law enforcement conduct inspections of tobacco outlets

Changed to make it illegal for youth to possess, purchase or receive tobacco

Changed to require ID to purchase tobacco

Other change(s) *(Please describe.)* _____

c. Have there been any changes in the law concerning vending machines?

Yes No

If Yes, indicate change. (Check all that apply.)

Total ban enacted

Banned from location(s) accessible to youth

Locking device or supervision required

Other change(s) *(Please describe.)* _____

d. Have there been any changes in State law that impact the following?

Licensing of tobacco vendors Yes No

Penalties for sales to minors Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply.)

Placed on file for public review

Posted on a State agency Web site *(Please provide exact Web address.)*

<http://www.dbhds.virginia.gov/>

- Notice published in a newspaper or newsletter
- Public hearing
- Announced in a news release, a press conference, or discussed in a media interview
- Distributed for review as part of the SAPT Block Grant application process
- Distributed through the public library system
- Published in an annual register
- Other (Please describe.) _____

3. Identify the following agency or agencies (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

a. The State agency(ies) designated by the Governor for oversight of the Synar requirements:

Department of Behavioral Health and Developmental Services

Has this changed since last year's Annual Synar Report? Yes No

b. The State agency(ies) responsible for conducting random, unannounced Synar inspections:

Department of Alcoholic Beverage Control

Has this changed since last year's Annual Synar Report? Yes No

c. The State agency(ies) responsible for enforcing youth tobacco access law(s):

Department of Alcoholic Beverage Control

Has this changed since last year's Annual Synar Report? Yes No

4. Identify the State agency responsible for tobacco prevention activities (the agency that receives the Centers for Disease Control and Prevention's National Tobacco Control Program funding).

Department of Behavioral Health and Developmental Services

Has the responsible agency changed since last year's Annual Synar Report?

Yes No

a. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies

Are the same

Have a formal written memorandum of agreement

Have an informal partnership

Conduct joint planning activities

Combine resources

Have other collaborative arrangement(s) (Please describe.) _____

5. Please answer the following questions regarding the State's activities to enforce the youth access to tobacco law(s) in FFY 2011 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).

a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)

- Enforcement is conducted exclusively by local law enforcement agencies.
- Enforcement is conducted exclusively by State agency(ies).
- Enforcement is conducted by both local and State agencies.

b. The following items concern penalties imposed for violations of youth access to tobacco laws by **LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES**. Please fill in the number requested. If State law does not allow for an item, please mark "NA" (not applicable). If a response for an item is unknown, please mark "UNK." The chart must be filled in completely.

| PENALTY | OWNERS | CLERKS | TOTAL |
|--------------------------------------|--------|--------|-------|
| Number of citations issued | UNK | 68 | 68 |
| Number of fines assessed | UNK | UNK | UNK |
| Number of permits/licenses suspended | UNK | | UNK |
| Number of permits/licenses revoked | UNK | | UNK |
| Other (Please describe.) | | | |

c. Which one of the following best describes the level of enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)

- Enforcement is conducted only at those outlets randomly selected for the Synar survey.
- Enforcement is conducted only at a subset of outlets not randomly selected for the Synar survey.
- Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.

d. Did every tobacco outlet in the State receive at least one enforcement compliance check in the last year?

- Yes
- No

e. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply.)

- Merchant education and/or training
- Incentives for merchants who are in compliance (e.g., nonenforcement compliance checks in which compliant retailers are given positive reinforcement and noncompliant retailers are warned about youth access laws)

- Community education regarding youth access laws
- Media use to publicize compliance inspection results
- Community mobilization to increase support for retailer compliance with youth access laws
- Other activities *(Please list.)* Prevention activities described below

Briefly describe all checked activities:

During SFY 2011, the VaDBHDS Office of Behavioral Health Services, utilizing SAPT Prevention funding, supported contracts with Virginia Commonwealth University and the Virginia Foundation for Healthy Youth (VFHY) (formally Virginia Tobacco Settlement Foundation), to provide training programs, including the logistics and support materials for the training. Continuation of the Synar Curriculum Infusion Program provided education related to youth access to tobacco products as part of subrecipient recurring education programs and single event activities for parents and youth. The Department continued collaboration with the Virginia Alcoholic Beverage Control Board (ABC), VFHY and others to implement a statewide system to educate, monitor and enforce the prohibition of tobacco and alcohol use by minors, and the sale of tobacco products and alcohol to minors.

SFY 2011 Synar-Related Prevention Activities:

Prevention subrecipients of the Department of Behavioral Health and Developmental Services (DBHDS) provided Synar-related services to 41,206 unduplicated individuals. Seventy-Seven percent of the 1,167,702 total (duplicated) participants of prevention programs received some type of Synar-related material or participated in Synar-related activities.

Community Services Boards and Behavioral Health Authorities personnel spent a total of 97,663 hours involved in executing initiatives relating to tobacco prevention. Sixty-eight percent of the total time used for prevention programs included Synar-related information and activities.

The Community Services Boards and Behavioral Health Authorities have implemented various smoking prevention activities in their respective localities. These include evidence-based programs and other universal and selective programs designed to reduce ATOD use. Examples of innovative and exemplary smoking prevention programs include the following:

Alexandria Community Services Board

A work group of the Partnership for a Healthier Alexandria, the Clean and Smoke Free Air Coalition of Alexandria, led the initiative that convinced Alexandria City Council to authorize the placement of signs around the City discouraging smoking in the parks, playgrounds and in City-owned bus shelters. City Council authorized the placement of signs in 34 City playgrounds during the summer of 2011 as Phase

I; Council will consider placement of signs in the parks and City-owned bus shelters this fall following a staff assessment of Phase I.

Rockbridge Area Community Services undertook 6 tobacco cessation initiatives this past year, in addition to the regular work of the Prevention Coalition and VFHY educators.

They did a demonstration with swine lungs at Kendal of Lexington to demonstrate healthy vs. unhealthy lungs and provided cessation materials for staff on the day of the Great American Smoke-out.

They provided local public service announcements for the Great American Smoke-out in addition to providing articles in The Toilet Paper at local schools, a CSB lobby display, and an article in the Prevention Newsletter.

CSB personnel provided an "Interactive" booth at Community Festival in Lexington with Big Cig, Mr. Gross Mouth demonstration, tobacco product display, and gave out 500 quit packs to smokers or friends/family members of smokers trying to quit.

Special full page article on the new cigarette label legislation which ran in three papers.

Display table with oversized cigarette prop and tobacco demonstration board with a focus on chewing/spit tobacco hazards at our VIP tent, during Community Day, VMI football game (sponsored by RACS).

At the Office on Youth's Summer Fun program, RACS prevention educator demonstrated chemicals in cigarettes to children using large cigarette prop. She created a smoking bingo game with calling cards dealing with the hazards of using tobacco products, with "I love my lungs" t-shirts as prizes. Also, Summer Fun students created their own lung simulations using plastic cups, balloon, and rubber bands for demonstration.

Middle Peninsula/Northern Neck Community Services Board

Addressed local policies to decrease tobacco advertising in retail stores,
educated daycare operators regarding secondhand smoke exposure

Steps completed towards policy change:

Conducted Store Alert Projects at Retail Stores in Region

Provided Report Cards to Retail Stores in Region

Created Cumulative Report on Retail Stores' Progress

Created Surveys for Child Care Providers in Region

Distributed Surveys to Child Care Providers in Region
Scored and Analyzed Child Care Providers' Surveys
Distributed "Smoke Free Child Zone" Flags to over 40
Smoke Free Daycares, 10 MPNN CSB Offices and 25 Parents
Promoted Smoke Free Child Care Centers in multiple media
venues including large printed advertisements in newspapers
throughout the region served by MPNN CSB
Distributed 1-800-Quit Now T-Shirts to 200 Middle
School Youths in Region

In FY 2011, the Prevention Services Division
served a total of 2,516 sixth, seventh, and
eighth grade youths in the multi-session
research based Life Skills Training Program.

LOUDOUN Community Services Board

Elementary and middle school youth participated in
Life Skills Training (LST) prevention classes offered by the
Loudoun County Division of Mental Health
and Substance Abuse Services (MHSAS) Prevention/Intervention
Program and created a video public service announcement (PSA)
on the dangers of second hand smoke.

The PSA video features a group of young men
playing soccer on a winning team. During one of the practices,
one young man displays symptoms of asthma, and
when he is asked by the coach to visit the doctor,
he finds out that he has developed asthma as a result of
second hand smoke exposure. The video includes information from the CDC
about second hand smoke and ends with a strong message
created and performed by the elementary students.

Prevention/Intervention currently runs
six after-school programs where staff teaches LST.

Richmond Behavioral Health Authority

KICK BUTTS DAY 2011

Kick Butts Day was held at Swansboro Elementary School on March 30, 2011 for 4th and 5th grade students.

The tobacco prevention event consisted of different fun-filled educational activities about the harmful effects of tobacco products. Different stations were set up with the following themes:

Jump Rope- If you smoke, you can't jump

Second Hand Smoke- Effects of second hand smoke on the body

The Tobacco Ball Toss-Ball with various tobacco facts was tossed and students answered the questions

Straws/Stirrers-Straws were used to demonstrate how easy it is to suck through a straw with healthy lungs. Stirrers were used to demonstrate how hard it is to suck through a stirrer with damaged lungs.

Straws represented healthy breathing and stirrers symbolized unhealthy breathing

Dirty Mouth/Dip Tobacco Mouth Visual-Showed how tobacco products affect your mouth, gums, teeth

Healthy Lung Display-Exhibited the difference between healthy lungs verses smoked damaged lungs

Tobacco Fact Game-Contest between groups of students who squared off to answer questions about tobacco products and their harmful effects

What's In A Cigarette Display-Students guessed how many chemicals are in a cigarette and named at least one of the chemicals founded

T-Shirt Display-Students provided artistic designs on T-Shirts using anti-tobacco slogans

Scrambled Word Game- Students completed unscrambled tobacco-related health risk words

Graffiti Wall Pledge- Students signed the "I Pledge To Be Tobacco Free!" wall sign

Tobacco Free Souvenirs-Students received smoke free sticky symbols and other tobacco free items at conclusion of the event

Red Ribbon Week

The Richmond Behavioral Health Authority's Substance Abuse Prevention Unit conducted weeklong activities during October to promote Red Ribbon Week, the oldest and largest drug prevention program in the nation reaching millions of youth. The Richmond Behavioral Health Authority collaborated with Richmond Public Schools and the Richmond Police Department to provide weeklong activities to elementary school students to increase drug awareness.

Health Fair at Armstrong High School

The Richmond Behavioral Health Authority participated in a Health Fair at Armstrong High School sponsored by the Virginia Department of Health. The Prevention Specialists provided educational activities including the harmful effects of tobacco on the lungs and the body, and recreational activities related to tobacco awareness.

Family Day

The Richmond Behavioral Health Authority participated in a Family Day event sponsored by the Richmond Parks and Recreation at Byrd Park. The Prevention Specialists provided educational and recreational activities related to tobacco awareness to youth from various recreational centers in the Richmond City area.

Evidence-based Programs with Tobacco-Use Prevention

Components Conducted by Subrecipients:

Combined Oct 2110 – Sept 2011

Al's Pals: Kids Making Healthy Choices

All Stars

Brief Alcohol Screening and Intervention for College Students

Children in the Middle

Community Trials Intervention

Communities Mobilizing for Change on Alcohol

Creating Lasting Family Connections CLFC

DARE to Be You

Families And Schools Together (FAST)

Get Real About Violence

Girl Power!

Guiding Good Choices

Keep A Clear Mind

Leadership and Resiliency

Life Skills Training

Lions-Quest Skills for Adolescence

N-O-T on Tobacco

Nurturing Parenting Programs

Parenting Wisely

Positive Action

Project ALERT

Project SUCCESS

Project Towards No Drug Abuse (TND)

Project Towards No Tobacco Use (TNT)

Protecting You/Protecting Me

Responding in Peaceful and Positive Ways (RIPP)

Safe Dates

Second Step

SOS: Signs of Suicide

Strengthening Families Program

Strengthening Families Program: For Parents and Youth 10-14

Too Good For Drugs (TGFD)

Too Good For Violence

Al's Pals: Kids Making Healthy Choice

- f. **Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?** Yes No

If "Yes" to 5f, please describe the State's procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:

Annual inspections are randomized and not clustered, so nearby merchants are not typically inspected at the same time.

- g. **Please describe the relationship between the State's Synar program and the Food and Drug Administration-funded enforcement program:**

Virginia ABC entered into a contract with FDA this year. VaDBHDS staff participated in a meeting with ABC and FDA staff in October. Details of the relationship are to be determined.

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the State to meet the requirements of the Synar Regulation in FFY 2011 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

6. **Has the sampling methodology changed from the previous year?** Yes No

The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

7. **Please answer the following questions regarding the State's annual random, unannounced inspections of tobacco outlets (see 45 C.F.R. 96.130(d)(2)).**

- a. **Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?** Yes No

If Yes, attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1-5 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

- b. **Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, the standard error, accuracy rate (number of eligible outlets divided by the total number of sampled outlets), and completion rate (number of eligible outlets inspected divided by the total number of eligible outlets).**

Unweighted RVR _____

Weighted RVR _____

Standard error (s.e.) of the (weighted) RVR _____

Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.

$$\frac{\text{RVR Estimate}}{\text{RVR Estimate}} + \frac{(1.645 \times \text{Standard Error})}{(1.645 \text{ times Standard Error})} = \text{Right Limit}$$

Accuracy rate _____

Completion rate _____

c. **Fill out Form 1 in Appendix A (Forms 1–5).** *(Required regardless of the sample design.)*

d. **How were the (weighted) RVR estimate and its standard error obtained?**
(Check the one that applies.)

Form 2 (Optional) in Appendix A (Forms 1–5) *(Attach completed Form 2.)*

Other *(Please specify. Provide formulas and calculations or attach and explain the program code and output with description of all variable names.)*

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?** Yes No No stratification

If Yes, explain how this situation was dealt with in variance estimation.

f. **Was a cluster sample design used?** Yes No

If Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

Were any certainty primary sampling units selected this year? Yes No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

g. Report the following outlet sample sizes for the Synar survey.

| | Sample Size |
|--|-------------|
| Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling) | 415 |
| Target sample size (the product of the effective sample size and the design effect) | 415 |
| Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion) | 919 |
| Eligible sample size (number of outlets found to be eligible in the sample) | 535 |
| Final sample size (number of eligible outlets in the sample for which an inspection was completed) | 531 |

h. Fill out Form 4 in Appendix A (Forms 1–5).

8. Did the State’s Synar survey use a list frame? Yes No

If Yes, answer the following questions about its coverage.

a. The calendar year of the latest frame coverage study: 2010

b. Percent coverage from the latest frame coverage study: 92%

c. Was a new study conducted in this reporting period? Yes No

If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.

d. The calendar year of the next coverage study planned: 2015

9. Has the Synar survey inspection protocol changed from the previous year?

Yes No

The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. Provide the inspection period: From 06/15/11 **to** 08/10/11
MM/DD/YY MM/DD/YY

b. Provide the number of youth inspectors used in the current inspection year:
23

NOTE: If the State uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

One inspector had a birthday during the inspection period and is counted twice in Table 4.

c. Fill out and attach Form 5 in Appendix A (Forms 1–5). *(Not required if the State*

used SSES to analyze the Synar survey data.)

SECTION II: FFY 2012 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. In the upcoming year, does the State anticipate any changes in:

- Synar sampling methodology Yes No
Synar inspection protocol Yes No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2012. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

Va DBHDS is pleased to continue to meet the required target of 20 percent noncompliance this year, and will continue to work to further reduce the rate of noncompliance in the upcoming reporting cycle. No changes to the inspection protocol are planned, and no legislative activities or regulatory changes are anticipated. The Department of Alcoholic Beverage Control will continue to conduct the inspections on contract with the Va DBHDS.

Va DMHMRSAS has developed strong agency partners in ABC and VDH. By instituting a formal contractual relationship with the ABC, it has assured that inspections occurred in a timely fashion.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply.)

- Limited resources for law enforcement of youth access laws
 Limited resources for activities to support enforcement and compliance with youth tobacco access laws
 Limitations in the State youth tobacco access laws
 Limited public support for enforcement of youth tobacco access laws
 Limitations on completeness/accuracy of list of tobacco outlets
 Limited expertise in survey methodology
 Laws/regulations limiting the use of minors in tobacco inspections
 Difficulties recruiting youth inspectors

- Geographic, demographic, and logistical considerations in conducting inspections
- Cultural factors (e.g., language barriers, young people purchasing for their elders)
- Issues regarding sources of tobacco under tribal jurisdiction
- Other challenges (*Please list.*) _____

Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for technical assistance related to each relevant challenge.

A major challenge faced by Virginia in complying with Synar regulations has been the lack of a comprehensive list of tobacco retailers on which to base the sample for compliance inspections. VaDBHDS supplements the Dunn & Bradstreet listing with a list of retailers. There have recently been layoffs of state employees with additional layoffs anticipated within the coming months. These changes have heightened concerns regarding realignment of ABC enforcement staff resources as well as DBHDS staff.

SSES Table 1 (Synar Survey Estimates and Sample Sizes)

CSAP-SYNAR REPORT

| | |
|---------------------------|-------------------------|
| State | Virginia |
| Federal Fiscal Year (FFY) | 2012 |
| Date | 9/30/2011 8:50 |
| Data | SynarResults2012.xlsx |
| Analysis Option | Stratified SRS with FPC |

Estimates

| | |
|--------------------------------------|----------------|
| Unweighted Retailer Violation Rate | 13.0% |
| Weighted Retailer Violation Rate | 13.0% |
| Standard Error | 1.4% |
| Is SAMHSA Precision Requirement met? | YES |
| Right-sided 95% Confidence Interval | [0.0%, 15.3%] |
| Two-sided 95% Confidence Interval | [10.2%, 15.8%] |
| Design Effect | 1.0 |
| Accuracy Rate (unweighted) | 58.2% |
| Accuracy Rate (weighted) | 58.2% |
| Completion Rate (unweighted) | 99.3% |

Sample Size for Current Year

| | |
|------------------------------|------|
| Effective Sample Size | 415 |
| Target (Minimum) Sample Size | 415 |
| Original Sample Size | 919 |
| Eligible Sample Size | 535 |
| Final Sample Size | 531 |
| Overall Sampling Rate | 6.8% |

SSES Table 2 (Synar Survey Results by Stratum and by OTC/VM)

STATE: Virginia

FFY: 2012

| Samp. Stratum | Var Stratum | Outlet Frame Size | Estimated Outlet Population Size | Number of PSU Clusters Created | Number of PSU Clusters in Sample | Outlet Sample Size | Number of Eligible Outlets in Sample | Number of Sample Outlets Inspected | Number of Sample Outlets in Violation | Retailer Violation Rate(%) | Standard Error(%) |
|---------------------------------|-------------|-------------------|----------------------------------|--------------------------------|----------------------------------|--------------------|--------------------------------------|------------------------------------|---------------------------------------|----------------------------|-------------------|
| All Outlets | | | | | | | | | | | |
| 1 | 1 | 13,373 | 7,785 | N/A | N/A | 919 | 535 | 531 | 69 | 13.0% | |
| Total | | 13,373 | 7,785 | | | 919 | 535 | 531 | 69 | 13.0% | 1.4% |
| Over the Counter Outlets | | | | | | | | | | | |
| 1 | 1 | 13,373 | 7,785 | N/A | N/A | 919 | 535 | 531 | 69 | 13.0% | |
| Total | | 13,373 | 7,785 | | | 919 | 535 | 531 | 69 | 13.0% | 1.4% |
| Vending Machines | | | | | | | | | | | |
| 1 | 1 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| Total | | 0 | 0 | | | 0 | 0 | 0 | 0 | 0.0% | 0.0% |

SSES Table 3 (Synar Survey Sample Tally Summary)

STATE: Virginia
 FFY: 2012

| Disposition Code | Description | Count | Subtotal |
|-------------------------------|--|-------|----------|
| EC | Eligible and inspection complete outlet | 531 | |
| Total (Eligible Completes) | | | 531 |
| N1 | In operation but closed at time of visit | 0 | |
| N2 | Unsafe to access | 4 | |
| N3 | Presence of police | 0 | |
| N4 | Youth inspector knows salesperson | 0 | |
| N5 | Moved to new location but not inspected | 0 | |
| N6 | Drive thru only/youth inspector has no drivers license | 0 | |
| N7 | Tobacco out of stock | 0 | |
| N8 | Run out of time | 0 | |
| N9 | Other noncompletion | 0 | |
| Total (Eligible Noncompletes) | | | 4 |
| I1 | Out of Business | 91 | |
| I2 | Does not sell tobacco products | 228 | |
| I3 | Inaccessible by youth | 3 | |
| I4 | Private club or private residence | 0 | |
| I5 | Temporary closure | 5 | |
| I6 | Can't be located | 57 | |
| I7 | Wholesale only/Carton sale only | 0 | |
| I8 | Vending machine broken | 0 | |
| I9 | Duplicate | 0 | |
| I10 | Other ineligibility | 0 | |
| Total (Ineligibles) | | | 384 |
| Grand Total | | | 919 |

SSES Table 4 (Synar Survey Inspection Results by Youth Inspector Characteristics)

STATE: Virginia
FFY: 2012

Frequency Distribution

| Gender | Age | Number of Inspectors | Attempted Buys | Successful Buys |
|-------------|----------|----------------------|----------------|-----------------|
| Male | 14 | 0 | 0 | 0 |
| | 15 | 8 | 190 | 27 |
| | 16 | 9 | 212 | 16 |
| | 17 | 0 | 0 | 0 |
| | 18 | 0 | 0 | 0 |
| | Subtotal | | 17 | 402 |
| Female | 14 | 0 | 0 | 0 |
| | 15 | 2 | 35 | 11 |
| | 16 | 4 | 88 | 15 |
| | 17 | 1 | 6 | 0 |
| | 18 | 0 | 0 | 0 |
| | Subtotal | | 7 | 129 |
| Other | | 0 | 0 | 0 |
| Grand Total | | 24 | 531 | 69 |

Buy Rate in Percent by Age and Gender

| Age | Male | Female | Total |
|-------|-------|--------|-------|
| 14 | 0.0% | 0.0% | 0.0% |
| 15 | 14.2% | 31.4% | 16.9% |
| 16 | 7.5% | 17.0% | 10.3% |
| 17 | 0.0% | 0.0% | 0.0% |
| 18 | 0.0% | 0.0% | 0.0% |
| Other | | | 0.0% |
| Total | 10.7% | 20.2% | 13.0% |

APPENDIXES B & C: FORMS

Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the State's CSAP-approved sampling design and inspection protocol. These appendixes, therefore, should generally describe the design and protocol and, with the exception of Question #10 of Appendix B, are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance, written approval. To facilitate the State's completion of this section, simply cut and paste the previously approved sampling design (Appendix B) and inspection protocol (Appendix C).

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Virginia-Draft
 FFY: 2012

1. What type of sampling frame is used?

- List frame (*Go to Question 2.*)
- Area frame (*Go to Question 3.*)
- List-assisted area frame (*Go to Question 2.*)

2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). (*After completing this question, go to Question 4.*)

Use the corresponding number to indicate Type of Source in the table below.

- 1 – Statewide commercial business list
- 4 – Statewide retail license/permit list
- 2 – Local commercial business list
- 5 – Statewide liquor license/permit list
- 3 – Statewide tobacco license/permit list
- 6 – Other

| Name of Frame Source | Type of Source | Description | Updating Method and Cycle |
|-------------------------------------|----------------|--|---------------------------|
| iMarket list of Dunn and Bradstreet | 1 | The purchased list is generated based on the North American Industry Classification System (NAICS formerly SIC) codes of businesses that are likely to sell tobacco over the counter. The NAICS codes are 5411 (grocery stores), 5541 (gasoline stations), 5912 (drug stores), 5812 (restaurants), 5993 (tobacco stores), 5399 (general merchandises), 5994 (news stands), 5999 (miscellaneous retail stores), and 7933 (bowling centers). | Updated Annually |
| Philip Morris | 6 | Phillip Morris' STARS list of retailers with whom they have transacted within the prior 12 weeks (this list is maintained by a private company that manages tobacco retail customers lists for several tobacco manufacturers). | Updated Annually |
| | | | |
| | | | |
| | | | |

3. If an area frame is used, describe how area sampling units are defined and formed.

- a. Is any area left out in the formation of the area frame? Yes No

If Yes, what percentage of the State's population is not covered by the area frame?

_____ %

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey? Yes No

If No, please indicate the reason they are not included in the Synar survey.

- State law bans vending machines.
 State law bans vending machines from locations accessible to youth.
 State has SAMHSA approval to exempt vending machines from the survey.
 Other (Please describe.) _____

5. Which category below best describes the sample design? (Check only one.)

Census (STOP HERE: Appendix B is complete.)

Unstratified statewide sample:

- Simple random sample (Go to Question 9.)
 Systematic random sample (Go to Question 6.)
 Single-stage cluster sample (Go to Question 8.)
 Multistage cluster sample (Go to Question 8.)

Stratified sample:

- Simple random sample (Go to Question 7.)
 Systematic random sample (Go to Question 6.)
 Single-stage cluster sample (Go to Question 7.)
 Multistage cluster sample (Go to Question 7.)
 Other (Please describe and go to Question 9.) _____

6. Describe the systematic sampling methods. (After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)

An iMarket list based on the NAICS codes listed above in Question 2 will be purchased annually. This list will include information on approximately 25,000 outlets. From this list, two groups will be eliminated:

- 1-franchises that have a corporate policy against tobacco sales;
2-vendors identified as not selling during previous compliance inspections;

Remaining vendors from the D& B list will be combined with the Philip Morris list of current retailers. This final cleaned list will be de-duplicated to ensure randomness of sampling and avoid systematic bias.

The sample will be drawn from the combined, cleaned list in the following manner: As in prior approved methodology (formula in 9, below), a systematic sample will be selected after sorting the list by zip codes (this results in implicit stratification).

7. Provide the following information about stratification.

a. Provide a full description of the strata that are created.

b. Is clustering used within the stratified sample?

Yes (Go to Question 8.)

No (Go to Question 9.)

8. Provide the following information about clustering.

a. Provide a full description of how clusters are formed. (If multistage clusters are used, give definitions of clusters at each stage.)

b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.

9. Provide the formulas for determining the effective, target, and original outlet sample sizes.

Effective sample size is determined as follows:

Where

$$n_e = \frac{p(1-p)NZ^2}{d^2(N-1) + (p(1-p)Z^2)}$$

N = total population,

p = RVR from the previous year's survey

Z = 1.96 (corresponding to confidence level of 95% for a two-sided interval), and

d = 0.03, which is the SAMHSA precision requirement.

Target sample size (nt) is the same as the effective sample size assuming that the design effect is one.

Using a safety margin of 30 percent, the original sample size was then determined by

$n_o = 1.3 * n_t / (AR * CR)$ where AR = accuracy rate from the previous year's survey and CR = completion rate from the previous year's survey.

10. Provide the following information about sample size calculations for the current FFY Synar survey.

- a. If the State uses the sample size formulas embedded in the Synar Survey Estimation System (SSES) Sample Size Calculator, please provide the following information:**

Inputs for Effective Sample Size:

RVR: 11.3%

Frame Size: 13,373

Input for Target Sample Size:

Design Effect: 1

Inputs for Original Sample Size:

Safety Margin: 30%

Accuracy (Eligibility) Rate: 60.4%

Completion Rate: 97.1%

- b. If the State does not use the sample size formulas embedded in the SSES Sample Size Calculator, please provide all inputs required to calculate the effective, target, and original sample sizes as indicated in Question 9.**

$N = \text{total population} = 13,373$

$p = \text{RVR from the previous year's survey} = 11.3\%$

$Z = 1.96$ (corresponding to confidence level of 95% for a two-sided interval), and

$d = 0.03$, which is the SAMHSA precision requirement.

$AR = \text{accuracy rate from the previous year's survey} = 60.4\%$

$CR = \text{completion rate from the previous year's survey} = 97.1\%$

Safety margin = 30%

| |
|--|
| |
|--|

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: Virginia-Draft

FFY: 2012

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading "Synar Inspection Form" and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading "Synar Inspection Protocol."

1. How does the State Synar survey protocol address the following?

a. Consummated buy attempts?

- Required Not permitted
 Permitted under specified circumstances Not specified in protocol

b. Youth inspectors to carry ID?

- Required Not permitted
 Permitted under specified circumstances Not specified in protocol

c. Adult inspectors to enter the outlet?

- Required Not permitted
 Permitted under specified circumstances Not specified in protocol

d. Youth inspectors to be compensated?

- Required Not permitted
 Permitted under specified circumstances Not specified in protocol

2. Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply.)

- Law enforcement agency(ies)
 State or local government agency(ies) other than law enforcement
 Private contractor(s)
 Other

List the agency name(s): Virginia Department of Alcoholic Beverage Control _____

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement representatives issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

- Always Usually Sometimes Rarely Never

4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.

Trained and experienced special agents are responsible for training new agents and minors. Whenever possible, newly recruited minors observe experienced UABs conducting compliance checks prior to participating in actual compliance checks.

Regional Special Agents in Charge (SAC) at each of the eight regional ABC offices recruit the underage buyers. The SAC assigns a special agent who is experience in undercover operations as the case agent. The case agent is always present and actively supervises all UAB operations, including training the UAB.

The following topics are covered in training:

Selection and retention of the UAB

Basis for selection

Importance of appearance and proper dress

Consistent hairstyling

Age appropriate use of make-up

Age appropriate clothing

Entrapment

Rules of Evidence

Observation and mental note taking

Court and Administrative Procedures

A typical shift

What to do if the UAB is known to seller

Purpose and use of body wires if applicable

Detailed purchase instructions

Prohibited activities of the UAB

5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors' immunity when conducting inspections?

a. **Legal** **Yes** **No** *(If Yes, please describe.)*

§ 18.2-371.2 . No person less than 18 years of age shall attempt to purchase, purchase or possess any tobacco product, including but not limited to cigarettes, cigars, bidis, and wrappings. The provisions of this subsection shall not be applicable to the possession of tobacco products, including wrappings, by a person less than 18 years of age making a delivery of tobacco products, including wrappings, in pursuance of his employment. This subsection shall not apply to purchase, attempt to purchase or possession by a law-enforcement officer or his agent when the same is necessary in the performance of his duties.

b. **Procedural** **Yes** **No** *(If Yes, please describe.)*

[Empty box]

6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

a. Legal Yes No (If Yes, please describe.)

[Empty box]

b. Procedural Yes No (If Yes, please describe.)

Two adult ABC special agents accompany one underage buyer (UAB) during compliance checks. One special agent enters the retail establishment just prior to or just after the UAB, in a manner that ensures anonymity of the UAB as well as the safety of the UAB. Providing two agents assures the safety of the UAB and prevents any improper conduct with the UAB. When the UAB is female, efforts are made to assure that one of the special agents is also a female

7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?

a. Legal Yes No (If Yes, please describe.)

[Empty box]

b. Procedural Yes No (If Yes, please describe.)

UABs are between 15 and 17 years of age.